

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SEVENTH DAY OF DECEMBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

WRIT PETITION NO : 7553 of 2005

Between:

Mr.Gottipati Srinivas Rao,

s/o Sri Gottipati Subba Rao,
r/o Addanki Village, Addanki Mandal,

Prakasam District, A.P.

..... PETITIONER

AND

1. The State of A.P., represented

by its Secretary, Department of Law,

Secretariat, Hyderabad.

2. The Collector-cum-District Magistrate,

Prakasam District.

...RESPONDENTS

* * *

ORDER:

This writ petition has been filed by Gottipati Srinivas Rao, assailing the action of the second respondent in deleting his name from the panel of advocates recommended by the District Judge, Prakasam District, for appointment of Assistant Government Pleader to the Senior Civil Judge Court and Junior Civil Judge Court at Addanki.

2. The petitioner is a practicing advocate at Addanki. His name has been included in the panel of advocates for appointment of Assistant Government Pleader, to the Junior Civil Judge and Senior Civil Judge Courts at Addanki. His grievance is that second respondent, without any justifiable reasons, excluded his name from the panel of advocates and thus approached this court with a prayer to grant an order, direction or writ, more in the nature of writ of Mandamus declaring the action of the second respondent in removing his name from the panel of advocates recommended by the District Judge.

3. Counter-affidavit has been filed by the respondents.

4. Heard the learned counsel for the petitioner and the learned Government Pleader for Home appearing for respondents.

5. Learned Government Pleader for Home placed on record entire file relating to the panel sent by the second respondent with regard to appointment of Assistant Government Pleader to the Senior Civil Judge and Junior Civil Judge Courts at Addanki. The contention of the petitioner that the second respondent has deleted his name from the panel while recommending names of some advocates has no substance. The District Collector has stated in his letter bearing Rc.C1/8869/1996 dated 14.07.2005 that a case has been registered against the petitioner in Crime No.50 of 2001 under Section 323 read with Section 34 I.P.C. and Section 3(1)(x) of Scheduled Castes and Scheduled Tribes (prevention of atrocities) Act, 1989 of Ballikurava police station. The District Collector has stated the factual aspects with regard to registration of

crime after getting the antecedents of the petitioner verified by the Superintendent of Police.

6. It is the case of the petitioner that the police, after investigation, filed charge sheet in Cr.No.50 of 2001 deleting his name and thus the adverse remarks, if any, appearing against the petitioner in the report sent by the District Collector have no basis. Such is the situation it is for the petitioner to appraise the government with regard to subsequent events that have taken place after the panel being sent by the second respondent to the government.

7. Giving liberty to the petitioner to submit representation to the Government appraising the latest developments with regard to the crime registered against him, this writ petition is disposed of.

B.SESHASAYANA REDDY, J.

Date: 07th December 2005.

Note:

Issue CC in three days.

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BSB